

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
GREENVILLE DIVISION**

The United States of America for the use and
benefit of Robert Lloyd Electric Co., Inc.,

Plaintiff,

v.

Fluor Enterprises, Inc., et al.,

Defendant.

Civil Action No.: 6:19-cv-2419-BHH

JOINT MOTION FOR AN EXTENSION TO FACT DISCOVERY DEADLINE

Under Federal Rule of Civil Procedure 16(b)(4) and Local Rule 6.01, the Parties, Robert Lloyd Electric Co., Inc. and Fluor Enterprises, Inc., et al., jointly move this Court to issue an Order extending the period for fact discovery thirty (30) days from March 27, 2020 to April 27, 2020. Although the Parties have made progress in the conduct of discovery, the Parties have conferred and agree that more time is needed to complete fact discovery.

To date, the Parties have diligently pursued discovery, and they now have good cause for the present Motion. Fed. R. Civ. P. 16(b)(4); Local Civ. R. 6.01. The Parties have served and answered interrogatories, requests for production, and some requests for admissions. Fluor Enterprises, Inc., and Fluor Daniel Caribbean (“Fluor Defendants”) have also issued a subpoena to Riggs Distler & Co., Inc., a sub-subcontractor to Lloyd Electric, for the production of relevant documents. Plaintiff has produced its documents (other than a small number being redacted for personal information) The Defendants have produced documents from two (2) custodians and will produce documents maintained by the remaining custodians this week. For their part, the Fluor

Defendants are producing documents from approximately twenty (20) custodians. An extension of time will aid the parties in completing the production of documents.

Regarding fact witness depositions, the Parties also will benefit from an extension of time. The Parties expect to take between 13 and 15 depositions, including the depositions of former employees and Riggs Distler. The parties are cooperating in the production of witnesses, however, certain of the relevant witnesses no longer reside in the Greenville area and counsel and/or the witnesses must make arrangements for travel for the depositions. The Parties agree that more time is needed to complete fact witness depositions, especially given the documents that still must be produced.

The fact discovery deadline has not previously been extended. This is the Parties' first motion to extend any deadline in the Court's Scheduling Order. Moreover, extension of the fact discovery deadline by thirty (30) days will not impact any other deadline in the Scheduling Order. Accordingly, the Parties respectfully request this Court to extend the deadline for fact discovery by thirty (30) days from March 27, 2020 to April 27, 2020. Plaintiff seeks to have the order include the right to propound additional written discovery provided it is answerable by the new deadline for fact discovery. Defendants do not consent to Lloyd Electric's new request to extend the written discovery deadline and expand its own right to additional, written discovery.

Dated: March 5, 2020

[SIGNATURES NEXT PAGE]

WE SO MOVE:

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WE SO MOVE:

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